

**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES**

IN RE: PETITION FOR BINDING ARBITRATION - HOA

LAKE MEADOWS HOMEOWNERS ASSOCIATION, INC., Filed with
Arbitration Section

APR 18 2018

Petitioner,

v.

Div. of FL Condos, Timeshares & MH **Case No. 2018-00-5373**
Dept of Business & Professional Reg

**SAMUEL GOSS, MEREDITY TRAVIS
DHANRAJ JASOPERSAD, MARK CRAWFORD
AND APRIL WEISS,**

Respondents

FINAL ORDER OF DISMISSAL

On January 22, 2018, the Lake Meadows Homeowners Association, Inc. (the Association), filed a petition for binding election dispute arbitration naming as Respondents, the former board of directors individually. Accompanying the petition was a qualified representative application naming parcel owner, Agustin Alamo, as the Association's representative.

This is the second petition filed by the Association Alamo which identifies him as the representative/president of the Association. The first concerned an earlier petition assigned case number 2014-03-7815, and styled *Augustin Alamo v. Lake Meadows Homeowner Association, Inc.* There, the petition alleged Petitioner had been improperly removed as president of the Association.¹

¹ This case was dismissed because a dispute regarding the removal of a president from the board of directors is outside of the arbitrator's jurisdiction; the Division may only hear homeowners association disputes related to recalls and the election of directors.

Statement of Facts

1. The Lake Meadows Homeowners Association, Inc., is the governing body of the Lake Meadows Homeowners community. It is responsible for the community's day to day operations and the upkeep of its real property.
2. Petitioner is a homeowner in the community and is therefore, a member of the Association.
3. This dispute concerns two competing boards of directors for the Association; the Goss-board comprised of Samuel Goss, Meredith Travis, Dhanray Jasonpersad, Mark Crawford and April Weiss and the Alamo-board whose members are allegedly Agustin Alamo, Bashir Mohamed, Steadman McClean, Hussain Mohamed and Santiago Silva.

Conclusions of Law

4. On July 18, 2016, the parties, in state court litigation entitled, *Lake Meadows Homeowners Association, Inc., v. Juanita Coley, Della Sabratis, Krishawn Soleyn, Edwin Sutton (deceased) and Mary Travis (deceased)*, 2016-CA-000246, in and for the Circuit Court of Polk County, Florida, entered into a settlement agreement which required the Association to conduct a new election within 60 days of the date of the settlement agreement. The agreement prohibited Petitioner and Soleyn from submitting their names or accepting nominations as candidates to the board in the September 2016 election. The agreement also mandated that the board elected in the September 2016 election, were to serve until January, 2018.

5. Petitioner's allegations in the current petition are in direct contravention of the settlement agreement entered in the state court proceeding. Therefore, the actions complained of in the instant petition must be sorted out and resolved in state court, not by arbitration in the Division.

For all the reasons set forth above, the petition in this cause is dismissed.

DONE AND ORDERED this 18th day of April, 2018, at Tallahassee, Leon County, Florida.



Leah A. Simms, Arbitrator
Department of Business and
Professional Regulation
Arbitration Section
2601 Blair Stone Road
Tallahassee, Florida 32399-1030
Section Telephone: 850-414-6867
Section Facsimile: 850-487-0870

Certificate of Service

I hereby certify that a true and correct copy of the foregoing final order has been sent by U.S. Mail to the following person on this 18th day of April, 2018:

Agustin Alamo
149 Vista View Avenue
Eagle Lake, FL 33839
Petitioner



Leah A. Simms, Arbitrator